

**IN THE DISTRICT COURT OF THE UNITED
STATES FOR THE MIDDLE DISTRICT,
EASTERN DIVISION, AT:
MONTGOMERY, ALABAMA**

RECEIVED
JUL 17 A 9 59
U.S. DISTRICT COURT
EASTERN DIVISION
MONTGOMERY, ALABAMA

GENE COGGINS Pro st
1436 COUNTY ROAD #299
LANETT, AL 36863
Plaintiff

V;

DIST. COURT NO. 3:07 - CV 0402 - MEF TFM

CITY OF JACKSON'S GAP and
JACKSON'S GAP POLICE DEPARTMENT
Defendant

**OBJECTIONS TO MAGISTRATE JUDGE
RECOMMENDATIONS AND ORDER**

COMES NOW, THE PLAINTIFF GENE COGGINS WITH THE FOLLOWING
OBJECTIONS TO THE MAGISTRATE JUDGE RECOMMENDATIONS AND ORDER
DOCUMENT #16 - 1, and 19 - 1, ON THE FOLLOWING GROUNDS.:

1. "CASE REFERRED TO MAGISTRATE JUDGE" PURSUANT TO 18 U.S.C. s/s APP. MINOR OFFENSES ONLY, FED. R. CIVIL P. JANUARY 27 (1971)..ANY OTHER CASES HAVE TO BE RECOMMENDED TO THE UNITED STATES SUPREME COURT FOR THEIR APPROVAL WHERE ONLY MINOR CASE IS INVOLVED, A FEDERAL DISTRICT JUDGE OR A UNITED STATES COMMISSION CAN APPOINT A MAGISTRATE JUDGE, TO HEAR AND MAKE RECOMMENDATIONS TO THE COURT IN THESE CASES. 9 Edmunds Cyclopedia of Federal Procedure. A constitution violation is not a minor case, but a major

one, can be heard only by a Federal District Judge. Therefore any recommendations made by any magistrate judge is illegal, and denied the Due Process of Law that is a part of My guaranteed Constitution Rights.

- a. Any attempt to deny this basic right, under the Due Process of Law is illegal and must be corrected. The concept of "Due Process of Law" as it is embodied in the 5th Amendment of the United States Constitution, that a law shall not be unreasonable, arbitrary, or capricious and have a substantial requisite to be heard.. U.S. V: Smith D. C. Iowa, 249, F. Supp. 515, 516.
- b. Th fundamental requisite of the " Due Process of Law" is th e opportunity to be heard. To review the answer from the other party, with both parties aware of the matter pending, and to assert before the appropriate decision making body. Trinity Episcopal Corp. V: Romney D. C. N. Y. 387 F. Supp. 1044, 1084,
- c. In the above, where is the answer from the other party that I am to review., again destroying my right to the guaranteed Due Process of Law by not having an answer from the other party, before making recommendations, denying motions, and giving orders that the other party is required to be a part off, and having their opportunity to respond to each and every claim made.. This form of forjudgment or pre trial hearing, is bias, preconceive opinion, leaning toward one side of a cause for some reason or another, other than a fair dispensing of justice. This form of discrimination which sways fair judgment, disqualifies judges as a condition of mind that refers to mental attitude or disposition of the judge toward a party to the litigation and any views that he may entertain regarding the subject matter. State ex rel. Michell V: Sage Stores Co. 157 Kan. 622, 143, P. 2d, 652, 655.. This prejudice actual means no rights or declaration are to be considered by the defending party or their ability to present an effective defense. U. S. V: Menke D.C. Pa. 339, F. Supp., 1023, 1026.
- d. In the United States justice system, there are many laws and statues, and similar cases that can be used in presentation of a case, but the only thing that is prevailing in any case begins with the Constitution of the United States and the guarantees Due Process of Law.

e. Prejudice is a factor in a speedy trial claim is not confined to merely an impairment of the defense but includes any threat, stakes, psychological, physical, and financial , in the prompt termination of a proceeding which may ultimately deprive him of life, liberty, property or pursuit of happiness .. U. S. V: Dreyer C. .A. N. J. 533, F. 2d, 112, 115..

1. TIME LIMITS ON ALL EVENTS CARRIED OUT IN THE JUDICIAL SYSTEM AS SO PLACED ON THE SHORT TERM CALENDER SO AS TO ASSURE A SPEEDY TRIAL .

THE 7th AMENDMENT OF THE UNITED STATES CONSTITUTION REQUIRES A TRIAL BY AN IMPARTIAL JURY EITHER **CIVIL OR CRIMINAL ON ALL ISSUES** BETWEEN THE PARTIES, WEATHER THEY BE ISSUES OF LAW OR FACTS, WITH NO RESTRAINTS OR ILLEGAL COST ADDED ON, BEFORE A COURT THAT HAS PROPER JURISDICTION. Fed. R. Civil P. 38 (a), 48 CIM. P. 23, 33, Fed. R. Civil P. 59, U.S. C. A. s/s 3161, Baker V: Wing, 407, U.S. 514, 92, S. Ci. 2182, 33, LED 2d, 101, Bryant V: State Md. App. 572, 244, A. 2d, 446, 448, 6th Amendment of the United States Constitution..

2. RIGHT FOR A TRIAL BY JURY IS GUARANTEED BY THE 6th AND 7th AMENDMENT OF THE UNITED STATES CONSTITUTION, THAT REQUIRES A TRIAL BY AN IMPARTIAL JURY ON EITHER CIVIL OR CRIMINAL CASES ON ALL ISSUES BETWEEN THE PARTIES.. THIS RIGHT WAS DENIED BY PLACING A ILLEGAL COST UPON A JURY TRIAL.

3. THESE GUARANTEED CONSTITUTIONAL RIGHTS ON ANY **CIVIL OR CRIMINAL PROCEEDINGS**, AND A TRIAL BY JURY, MAKES ALL OF RULE 28 ANOTHER ILLEGAL FORM AGAINST THE GUARANTEED RIGHT AND DUE PROCESS AS GIVEN IN THE UNITED STATES CONSTITUTION. ANY RULE ESTABLISHED BY ANY GOVERNING BODY, THAT DOES NOT COMPLY TO THE GUARANTEED CONSTITUTION RIGHTS IS ILLEGAL AND SUBSTANTIALLY CANNOT BE USED IN DETERMINING WHETHER A CLAIM AGAINST A DEFENDANT IS IMMUNE FROM SUCH RELIEF. UNDER THE 11 AMENDMENT OF THE UNITED STATES CONSTITUTION, NO ONE THAT LIVES WITHIN THE STATE WHERE THIS ACTION IS FILED, IS IMMUNE FROM SUIT. THEREFORE, THIS CLAIM FOUND AS AN ILLEGAL CLAIM, R. 28 (I), THE COURT SHALL DISMISS

THE CASE AT ANY TIME, IF THE COURT DETERMINES THAT THE ACTION OR APPEAL (I), IS FRIVOLOUS OR MALICIOUS, OR DEFENDANT IS IMMUNE FROM SUCH RELIEF” HERE YOU USED THIS 28 U. S. C. s/s 1915 (e) (2) (B). PAGE NO.1 FOOTNOTES. . AGAIN THIS IS BASED UPON THIS ILLEGAL RULE 28. THIS DOES NOT GIVE ANY COURT OR JUDGE THE AUTHORITY TO MISUSE OR USE THIS AS ANY RESTRAINT THAT DENIES ANY PART OF THE DUE PROCESS OF LAW , AS. GIVEN IN THE UNITED STATES. IN FEDERAL RULE CIVIL P. 3, 4, 5, PAGE NO 2 REFERRING TO THE JACKSON’S GAP POLICE DEPARTMENT AS BEING IMMUNE FROM THIS. UNDER THE 11th AMENDMENT OF THE UNITED STATES CONSTITUTION, STATES THAT NO ONE IN THAT STATE WHERE SUIT IS FILED HAS BEEN GIVEN IMMUNITY WHEN CONSTITUTION LAWS MAKES THIS VERY PLAIN THAT NO ONE IS FREE FROM BEING SUED, THEN THE STATE LAWS HAVE NO VALUE IN A FEDERAL COURT HEARING, AND WHEN FOUND CONTRARY TO THE UNITED STATES CONSTITUTION, THEN THAT STATE LAW IS ILLEGAL, FOR YOU TOOK AN OATH OF OFFICE TO UPHOLD THE UNITED STATES CONSTITUTION. PAGE NO 2., ITEM NO. 5 IN FOOTNOTES “COGGINS FAILS TO SPECIFY WHICH EXACT COURT ALLEGEDLY DID THIS”, HERE AGAIN I ASSUMED THAT THIS COURT OR ANY OFFICIAL OF THIS COURT WOULD KNOW THAT THE CITY OF JACKSON’S GAP, AND THE JACKSON’S GAP POLICE DEPARTMENT IS LOCATED IN TALLAPOOSA COUNTY JURISDICTIONS AND ALL CASES THEY ARE INVOLVED WITH IS IN TALLAPOOSA COUNTY COURT THE FEDERAL RULES OF CIVIL PROCEDURES INVOLVING THE DUE PROCESS OF LAW, REQUIRES THAT A COMPLAINT MUST BE OF A WRITTEN STATEMENT OF THE ESSENTIAL FACTS CONSTITUTING OF THE BASIC OFFENSE CHARGED WITH AND DELIVERED WITH A SUMMONS BY THE FOLLOWING METHODS;

1. TO ANY U.S. MARSHAL, SHERIFF OR AUTHORIZED PERSON AS REQUIRED IN THE FEDERAL RULES OF CIVIL PROCEDURES,
2. SERVICE BY CERTIFIED MAIL WITH RECEIPT RETURNED TO THE CLERK OF THE COURT,
3. OR BY PUBLICATION IN THE LOCAL NEWS PAPER..

THESE REQUIREMENTS ARE THE ESTABLISHED DUE PROCESS OF LAW THAT NO JUDGE OR COURT HAS THE AUTHORITY TO CHANGE OR ADD ANY RESTRICTIONS TO ANY PART THAT WILL INTERFERE WITH THE GUARANTEED RIGHT FOR EVERY CITIZEN TO HAVE THEIR DAY IN COURT.

4. THE CORRECT AND PROPER SERVICE WAS MADE IN AND ACCORDING TO ITEM NO.2, BY PLACING IN THE UNITED STATES MAIL SENT BY CERTIFIED MAIL WITH RECEIPT RETURNED TO THE CLERK OF THE COURT, THE ONLY ESTABLISHED RULES GOVERNING THIS PROPER WAY OF SERVICE IS REQUIRED TO GIVE THE DEFENDANT PROPER TIME AND NOTIFIED OF SOME ACTION AGAINST HIM OR THE STEPS HE IS COMMANDED TO TAKE OR TO FOREBEAR ALL OF THE DEMANDS IN THE COMPLAINT. FEDERAL RULE OF CIVIL P. 4, 5, FED. RULE CRIM. P. 4-49..Chemical Specialties Sales Corp. Industrial Div. V: Basic Inc. D. C. Conn. 296, F. Supp. 1106, 1107.

5. ANY RESTRICTIONS OR SCREENING ADDED TO THE GUARANTEED DUE PROCESS OF THE UNITED STATES CONSTITUTION IS ILLEGAL RULE OR STATUE AND CANNOT BE USED I N THIS GUARANTEED RIGHT FOR EVERY CITIZEN TO BE HEARD OR HAVE THEIR DAY IN COURT. THIS BIAS AND ONE SIDED EVENT DOES NOT GIVE THE COURT OR ANY JUDGE THE RIGHT TO SELECT WHO AND WHAT CASES THEY CAN HAVE BEFORE THEM. THIS FORM OF DENYING AN INDIVIDUAL FROM HIS RIGHT TO BE HEARD IN COURT IS BREAKING THE OATH OF OFFICE, THAT REQUIRES THEM TO UPHOLD ALL THE GUARANTEED DUE PROCESS RIGHTS AS GIVEN IN THE UNITED STATES CONSTITUTION. BY NOT ABIDING BY THIS IS A FELONY AND PERJURY.

6. A STAY CANNOT BE PLACED UPON ANY GUARANTEED DUE PROCESS LIKE THE ONES GIVEN IN RULE 3, 4, 5, ANY JUDGE OR COURT ORDER THAT PRACTICES OR USES THIS IN THIS ILLEGAL WAY DENIES THE BASIC DUE PROCESS OF LAW AS DESCRIBED IN THE UNITED STATES CONSTITUTION AND EXPLAINED MORE ON PAGE NO 2 ARTICLE a.

7. ON PAGE NO 2, ITEM NO 4, "THE COURT ADVISES COGGING THAT THE RIGHT TO A SPEEDY TRIAL ACKNOWLEDGED BY THE CONSTITUTION AND THE SPEEDY TRIAL ACT OF 1974, 18 U. S. C. s/s 3161, APPLY ONLY TO THE ACCUSED IN A CRIMINAL CASE AND DOES NOT APPLY

IN CIVIL CONTEXT.”... THIS STATEMENT MAKES THE WRITER OR THE 7th AMENDMENT OF THE UNITED STATES CONSTITUTION A LIRE OR ONE OF THE OTHER IS ILLEGAL. THE SPEEDY TRIAL ACT OF 1974, 18 U. S. C. s/s 3161 ONLY SETS OUT AND ESTABLISHES TIME LIMITS ON ALL EVENTS CARRIED OUT IN THE JUDICIAL SYSTEM AS SO PLACED ON THE SHORT TERM CALENDER, SO AS TO ASSURE A SPEEDY TRIAL.. THE 7th AMENDMENT OF THE UNITED STATES CONSTITUTION REQUIRES A TRIAL BY AN IMPARTIAL JURY, FOR EITHER **CIVIL** OR **CRIMINAL** ON ALL ISSUES BETWEEN THE PARTIES, WEATHER THEY BE ISSUES OF LAW OR FACTS WITH NO RESTRAINTS OR ILLEGAL COST ADDED ON, BEFORE A COURT THAT HAS PROPER JURISDICTION. Fed. R. Civil P. 38 (a) 48 Crim. P. 23, 33, Fed. R. Civil P. 59. U. S. C. A. s/s 3161, Baker V: Wingo 407, U. S. 514, 92, S. Ci., 2182, 33 L. E. D. 2d, 101, Bryant V: State Md. App. 572, 244, A. 2d, 446, 448, 6th Amendment of The United States Constitution.

8. ON PAGE NO 3 ARTICLE NO 6, “THE FACTUAL PREDICATE FOR HIS CLAIMS IS DIFFICULT TO DISCERN THROUGH THE VERBIAGE’ THERE IS NO PLAIN OR SIMPLE WAY FOR ANYONE TO UNDERSTAND WHAT CONSTITUTION RIGHT VIOLATIONS ARE, THAT EFFECT OR DENIED MY DUE PROCESS OF LAW, THAN WHAT IS GIVEN IN BIG BOLD BLACK LETTER ON THE FIRST PAGE OF MY ORIGINAL COMPLAINT.

9. “IT IS PARTICULARLY DIFFICULT TO IDENTIFY WHICH CLAIMS ARE DIRECTED TO WHICH DEFENDANT”. IF ANYONE WOULD TAKE TIME TO READ THE FIRST PAGE OF MY COMPLAINT AND LOOK OVER THE SUMMONS AND SEE THE SAME NAMES AGAIN, THIS SHOULD BE VERY CLEAR WHO THE DEFENDANTS ARE HERE AGAIN YOU MUST HAVE YOUR EYES OPEN. WHERE A CASE IS ONLY ON ONE SIDE WITH IT BEING PREJUDGED BEFORE SEEING AN ANSWER FROM THE DEFENDANT OR GIVING THE DEFENDANT THEIR GUARANTEED RIGHT TO BE HEARD, THIS COURT HAS CREATED ITS OWN PROBLEM, AND SHOULD BE RESPONSIBLE FOR THE DEFAULT AND DEFAULT JUDGMENT BEING PLACED AGAINST EVERY DEFENDANT BY NOT ABIDING BY THE DUE PROCESS OF LAW, TRYING TO PROTECT THE DEFENDANTS WITH EVERY ILLEGAL EXCUSE THEY COULD COME UP WITH, IMPROPER USING A STAY TO DELAY THE SERVICE OF THE SUMMONS AND COMPLAINT

10. ON PAGE NO.4 , “A COURT MAY CONCLUDE THAT A CASE HAS LITTLE OR NO CHANCE OF SUCCESS AND DISMISS THE COMPLAINT BEFORE SERVICE OF PROCESS WHEN IT DETERMINES FROM THE FACE OF THE COMPLAINT THAT FACTUAL ALLEGATIONS ARE CLEARLY BASELESS OR THAT THE LEGAL THEORIES ARE INDISPUTABLY MERIT LESS”.. HERE AGAIN USING A CASE THAT PREJUDGES THE EXISTING COMPLAINT WITHOUT ANY MERIT.. THIS TYPE OF THINKING AND DENYING EVERY CITIZEN THE RIGHT TO BE HEARD OR THE DUE PROCESS OF HAVING THEIR DAY IN COURT BEFORE AN IMPARTIAL JURY OF THEIR PEERS AND BEFORE AN IMPARTIAL JUDGE THAT PLACES HONEST AND EQUAL JUSTICE TO ALL MEN ABOVE ANY RULE OR STATUTE THAT IS IN DIRECT CONFLICT WITH THE UNITED STATES CONSTITUTION. HERE THIS COULD ONLY HAPPEN IN A DREAM WORLD, NOT WHERE BIAS JUDGES RULE THE COURTS WITH THEIR INABILITY TO UNDERSTAND THE DUE PROCESS OF THE UNITED STATES CONSTITUTION, BUT TRIES TO CENTER ON THE CORRUPTION FOUND IN THE STATE GOVERNMENT AND NOT ABLE TO SEE A NEED FOR A CLEANING IN THE UNITED STATES COURT SYSTEM.

11. “fails to state a claim” INDICATES THE IN ABILITY TO READ THE COMPLAINT, WHICH STATES, THAT THE DEFENDANT IS GUILTY OF NOT ALLOWING MY GUARANTEED CONSTITUTION RIGHTS AND FOLLOWING THE DUE PROCESS OF LAW..

12. THE ALLOWANCE OF AN APPEAL FROM A LOWER COURT IS A GUARANTEED CONSTITUTION RIGHT, WHERE A LOWER COURT REFUSES TO MODIFY AN INJUNCTION, OR DISSOLVE ALL ISSUES INVOLVED IN THIS CASE IN DETERMINING THE RIGHTS AND LIABILITIES OF THE PARTIES INVOLVED IS IMMEDIATELY APPEALABLE, WITHOUT ANY RESTRICTIONS OR COST ADDED ON.. *Budinich V: Becton Dickinson & Co.* 486, U. S. 196, 201, 108, S. Ct. 1717-22, 100 L. Ed. 2d, 178, (1988), *LaChance V: Duffy’s Draft House, inc.* 146, F. 3d, 832, 837, (11th Cir. 1998), Fed. R. Civil P. 56.. This makes this denial of my right to appeal illegal and must be a part of this action.

HERE AGAIN THE WRITER DOES NOT UNDERSTAND WHAT GUARANTEED CONSTITUTION RIGHTS ARE, WHERE THE 5th AND THE 14th AMENDMENT GUARANTEE A PERSON FAIR PROCEDURES AND FROM UNFAIR STATE ACTIONS, PROVIDES SAFEGUARDS FOR THE PROTECTION OF INDIVIDUAL RIGHTS ACCORDING TO THE RULES AND PRINCIPALS WHICH HAS BEEN ESTABLISHED IN OUR SYSTEMS OF JURISPRUDENCE FOR THE PROTECTION AND ENFORCEMENT OF PRIVATE RIGHTS.. THE BASIC AND ESSENTIAL FUNDAMENTAL REQUISITE OF THE DUE PROCESS CLAUSE IS THE OPPORTUNITY TO BE HEARD, TO BE AWARE THAT A MATTER IS PENDING AND TO ASSERT BEFORE A APPROPRIATE DECISION MAKING BODY THE REASON FOR SUCH CHOICE. *Trinity Episcopal Corp. V: Romney* D. C. N. Y. 387, F. Supp. 104, 1084, *Pinkerson V: Farr* W. Va. 220, S. E. 2d, 682, 687..

WHERE THE CAUSE OF ACTION HAS BEEN GIVEN MANY TIMES IN THE ORIGINAL COMPLAINT, SOME PEOPLE CANNOT UNDERSTAND WHAT GUARANTEED CONSTITUTION RIGHTS ARE FOR OR TO WHOM THEY APPLY. MY COMPLAINT CLEARLY SHOWS THE CAUSE OF ACTION AS MY GUARANTEED CONSTITUTIONAL RIGHTS HAVE BEEN VIOLATED. WITH ALL OF THE EVIDENCE AND PAPER TRAIL LEFT BEHIND, THIS IS HARD TO SEE WHEN THE DUE PROCESS OF LAW IS IGNORED AND NOTHING FROM THE DEFENDANT HAS BEEN PRESENTED. THE BEST WAY TO HELP ANY PERSON THAT HAS A PROBLEM IN SEEING THE CAUSE OF ACTION IN THIS CASE, WOULD BE TO RECOMMEND THAT THEY GO BACK TO SCHOOL AND TAKE THE COURSE IN CONSTITUTION LAWS...

ON PAGE THREE ITEM NO.1 "THE LAW IS WELL ESTABLISHED THAT A STATE JUDGE IS ABSOLUTELY IMMUNE FROM CIVIL LIABILITIES".. ANY LAW THAT STATES THAT ANY CITIZEN OF THIS STATE IS FREE FROM ANY SUIT, OR HAS IMMUNITY FROM SUCH IS ILLEGAL, FOR THE PREVAILING LAW IS FOUND IN THE 11th AMENDMENT OF THE UNITED STATES CONSTITUTION, THAT GIVES ANY CITIZEN OF THIS STATE THE RIGHT TO SUE ANY OTHER CITIZEN WITHIN THIS STATE REGARDLESS OF WHAT TITLE OR POSITION THEY MAY HOLD. NO OTHER FEDERAL OR STATE LAW , COURT, OR JUDGE CAN CHANGE THIS GUARANTEED

RIGHT. HERE AGAIN IN RULE 28 IS USED FOR A PROVISION TO BE DISMISSED. THIS HAS BEEN EXPLAINED THAT THIS LAW IS NOT LEGAL , ACCORDING TO THE CONSTITUTION...

AGAIN ON PAGE THREE ITEM NO 2, "THE REQUEST FOR DECLARATORY RELIEF AS BROUGHT ON BY STATE COURT LOSERS, CHALLENGING STATE COURT JUDGMENTS"..HERE AGAIN THE WRITER NEVER READ THE ORIGINAL COMPLAINT OR COULD UNDERSTAND WHAT HE READ. THERE HAS NEVER BEEN ANY FINAL DECISION OR JUDGMENT PLACED UPON THE CASE IN QUESTION, THAT WAS PRESENTED IN THE PROBATE COURT IN TALLAPOOSA COUNTY. THE CAUSE OF ACTION BEGIN WITH THIS TIME LIMIT PLACED ON ALL CASES, THE RIGHT TO APPEAL TO ANY COURT, THE RIGHT TO APPEAL WITHOUT ANY PREPAID FEES, COST OR RESTRICTIONS ADDED ON. WITH THESE GUARANTEED CONSTITUTIONS RIGHTS AS GIVEN ARE NOT FOLLOWED, SETTING ON ANY CASE FOR YEARS WITHOUT ANY SETTLEMENT IN SIGHT, I HAVE THE RIGHT TO FILE THIS ILLEGAL ACTION IN THIS COURT. NO MATTER HOW MANY RULES AND STATUES YOU MAY COME UP WITH, NOTHING CAN NOT ALLOW THIS CASE TO BE HEARD. EVERY TIME YOU COME UP WITH AN EXCUSE NOT TO HEAR THIS CASE, I HAVE FOUND EVERY ONE OF THEM TO BE AGAINST THE DUE PROCESS OF LAW AS GIVEN UNDER THE GUARANTEED CONSTITUTION RIGHTS OF THE UNITED STATES CONSTITUTION.

ON PAGE NO 4 , YOU GAVE AN EXCUSE THAT "FEDERAL DISTRICT COURTS DO NOT HAVE JURISDICTION OVER CHALLENGES TO STATE COURT DECISIONS, EVEN IF THOSE ALLEGE THAT THE STATE COURT ACTION WAS UNCONSTITUTIONAL" IN MY ORIGINAL COMPLAINT COVERED THE PROPER JURISDICTION FOR THIS CASE,

THIS GUARANTEED DUE PROCESS REQUIRES THAT EVERY CITIZEN HAVE THE PROTECTION OF A DAY IN COURT AND TO BE HEARD BY AN IMPARTIAL JURY OF HIS PIERS.. Di Maio,, V: Reid 132 N. J. L. 19, 37, A. 2D, 829, 830.. WEBSTER DEFINED THIS TO MEAN A LAW WHICH HEARS ALL PHASES BEFORE IT CONDEMNS, WHICH PROCEEDS ON ALL INQUIRY AND RENDERS JUDGMENT ONLY AFTER TRIAL. Wichita Council No. 120 of Security Ben. Ass'n., V: Security Ben Assn. 138 Kan. 841, 28 P, 2d, 976, 980, J. B. Barnes Drilling Co. V: Phillips 166, okl. 154, 26, P. 2d,

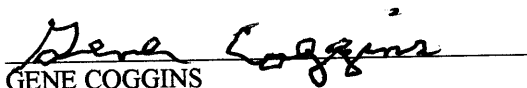
THIS COURT HAS NEVER HEARD OF THIS, OR DON'T BELIEVE IN FOLLOWING, TO HEAR ALL PHASES OF A CASE, BEFORE IT CONDEMNS, OR START SENDING OUT ORDERS AND RECOMMENDATIONS IN A ONE SIDED AFFAIR. WHEN ANY QUESTION OF FACTS, OR LIABILITY BE CONCLUSIVELY PRESUMED AGAINST HIM, THIS IS CONSIDERED NOT TO BE ASSOCIATED WITH THE DUE PROCESS OF LAW. AN ORDERLY PROCEEDING WHEREIN A PERSON IS SERVED WITH NOTICE, ACTUAL OR CONSTRUCTIVE, AND HAS AN OPPORTUNITY TO BE HEARD AND TO ENFORCE AND PROTECT HIS RIGHTS BEFORE A COURT THAT HAVING POWER TO HEAR AND DETERMINE ALL ASPECTS OF THE CASE. Kazubowski V: Kazubowski 45 Ill. 2d, 405, 259, N. E. 2d, 282, 290.. THIS CONSTITUTIONAL GUARANTY, DEMANDS THAT THE COURT OF LAW SHALL NOT BE UNREASONABLE, ARBITRARY, OR CAPRICIOUS, AND THAT MEANS SELECTED SHALL HAVE REAL AND SUBSTANTIAL RELATIONS TO OBJECT. SIMPLY THIS MEANS THAT THE DUE PROCESS CLAUSE OF THE CONSTITUTION OF THE UNITED STATES HAS A DIRECT TIE TO THIS PROCESS. Nebbi V: People of State of New York, N. Y. 291 U. S. 502, 54 S. Ct. 505, 78 L. E. D. 940. North American Co. V: Securities & Exchange Commission, C. C. A. 2, 133, F. 2d, 148, 154..

HERE AGAIN THIS WRITER HAS NEVER READ THE COMPLAINT OR IS INCAPABLE OF UNDERSTANDING THE MEANING OF A SPEEDY TRIAL, THE RIGHT TO APPEAL WITH OUT ANY ADDED ON RESTRICTIONS OR COST,. OR THE RIGHT FOR A JURY TRIAL. THESE ARE GUARANTEED RIGHTS GIVEN IN THE CONSTITUTION OF THE UNITED STATES GOVERNMENT, AND APPLY TO EVERY CITIZEN WITHIN THIS COUNTRY..

THIS ILLEGAL COST PLACED UPON ANY ACTION IS COVERED IN FEDERAL RULE APP. P. 38 - 39, U. S. C. May V: Williams 17 Al 23 (1849).. ANY PARTY HAS THE GUARANTEED RIGHT TO APPEAR IN ANY COURT WITHOUT PREPAYMENT OF FEES, COST , OR GIVING ANY SECURITY THERE-OF..

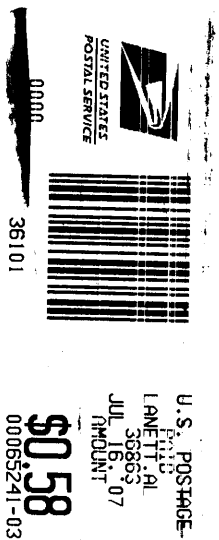
A PRIVATE CITIZEN LACKS A JUDICIALLY COGNIZABLE INTEREST IN THE PROSECUTION
OR NON-PROSECUTION OF ANOTHER.” HERE AGAIN THE GUARANTEED PROTECTION OF THE UNITED STATES CONSTITUTION PREVAILS OVER THE ILLEGAL CASE GIVEN AS ; Linda R. S. V: Richard D. 410 U. S. 614, 619 (1973),

WHERE EVERY CITIZEN HAS THE RIGHT TO PROTECT THEIR PROPERTY, INTEREST, OR OTHER MATTERS THAT MAY DEPRIVE THEM OF LIFE, LIBERTY, OR PURSUIT OF HAPPINESS. THESE CONSTITUTIONAL VIOLATIONS ARE MY INTEREST AND I HAVE THE RIGHT TO PROTECT THEM IN ANY PROPER WAY I SEE FIT. I HOPE THIS WILL REFRESH YOUR MEMORY ENOUGH THAT A COMPLAINT FILED IN COURT MUST HAVE AN ANSWER, FROM A DEFENDANT (IN OTHER WORDS SOMEONE OBJECTIONS) BEFORE ANY LEGAL DECISIONS, RECOMMENDATIONS, OR ORDERS ARE ISSUED..


GENE COGGINS

GENE COGGINS
1436 COUNTY RD. #299
LANETT, AL 36863

OFFICE OF THE CLERK
U.S. DIST. COURT
P.O. BOX 711
MONTGOMERY, AL 36101-0711



36101+0711-11 E007

